



IFC

PATENT  
Customer No. 22,852  
Attorney Docket No. 08364.0019-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
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David BARTLETT et al. ) Group Art Unit: 2644  
 )  
Application No.: 09/856,734 ) Examiner: Andrew C. FLANDERS  
 )  
Filed: May 25, 2001 ) Confirmation No.: 3454  
 )  
For: ACOUSTIC COMMUNICATION )  
SYSTEM )

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

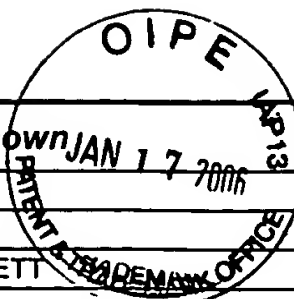
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 17, 2006

By: 

Reece Nienstadt  
Reg. No. 52,072



IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	09/856,734
				Filing Date	May 25, 2001
				First Named Inventor	David BARTLETT
				Art Unit	2644
				Examiner Name	Andrew C. FLANDERS
Sheet	1	of	1	Attorney Docket Number	08364.0019-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,022,273	02-08-2000	GABAI et al.	
		US-5,085,610	02-04-1992	ENGEL et al.	
		US-5,752,880	05-19-1998	GABAI et al.	
		US-6,309,275	10-30-2001	FONG et al.	
		US-6,290,566	09-18-2001	GABAI et al.	
		US-4,840,602	06-20-1989	ROSE	
		US-5,314,336	05-24-1994	DIAMOND et al.	
		US-			
		US-			
		US-			
		US-			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 00/15316	03-23-2000	Comsense Technologies		
		WO 99/46720	09-16-1999	Cha! Technologies Services		
		WO 01/75629	10-11-2001	Neomedia Technologies		
		WO 98/20411	05-14-1998	Neomedia Technologies		
		WO 01/57619	08-09-2001	Comsense Technologies		
		WO 98/51077	11-12-1998	Neomedia Technologies		
		WO 00/60484	10-12-2000	Neomedia Technologies		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		SWANSON et al. "Robust Audio Watermarking Using Perceptual Masking." Elsevier Signal Processing, Vol. 66, No. 3, May 1998, pp. 337-355.	
		SEOK et al. "Prediction-Based Audio Watermark Detection Algorithm." 109th AES Convention, Sept. 22- 25, 2000, pp. 1-11.	

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.